


<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER NTP 05-1-1
INTERNATIONAL APPLICATION NO. PCT/CN2003/000648	INTERNATIONAL FILING DATE August 8, 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/523,953
PRIORITY DATE CLAIMED August 9, 2002		
TITLE OF INVENTION    METHOD FOR COMPARING GENE EXPRESSION LEVEL		
APPLICANT(S) FOR DO/EO/US    Guohua Zhou		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p style="margin-top: 10px;">Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: A Request for Correction to Spelling Error</li> </ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/523,953		INTERNATIONAL APPLICATION NO. PCT/CN2003/000648		ATTORNEY'S DOCKET NUMBER NTP 05-1-1		
The following fees have been submitted				CALCULATIONS	PTO USE ONLY	
21.	<input type="checkbox"/>	Basic national fee .....	\$300.00	\$0.00		
22.	<input type="checkbox"/>	Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....	\$100.00 \$200.00	\$0.00		
		All other situations .....				
23.	<input type="checkbox"/>	Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....	\$100.00 \$400.00	\$0.00		
		International Search Report prepared and provided to the Office .....	\$500.00			
		All other situations .....				
TOTAL OF 21, 22 and 23 =				\$0.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE			
32	-100 =	0 /50 =	0 x \$250.00	\$0.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (h)).				\$0.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$		
Total claims	0 - 20 =	0	X \$50.00	\$0.00		
Independent claims	0 - 3 =	0	X \$200.00	\$0.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$0.00		
TOTAL OF ABOVE CALCULATIONS =				\$0.00		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0.00		
SUBTOTAL =				\$0.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$130.00		
TOTAL NATIONAL FEE =				\$130.00		
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$0.00		
TOTAL FEES ENCLOSED =				\$130.00		
				Amount to be refunded:	\$	
				Amount to be charged:	\$	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>19-4882</u> in the amount of <u>\$130.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-4882</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.						
SEND ALL CORRESPONDENCE TO: Customer No. 23531 Suiter • West PC LLO 14301 FNB Parkway Suite 220 Omaha, NE 68154-5299 402.496.0300 Telephone 402.496.0333 Facsimile						
				 SIGNATURE		
				Peng Zhu NAME		
				48,063 REGISTRATION NUMBER		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of : Guohua Zhou  
U.S. Appl. No. : 10/523,953  
International Appl. No. : PCT/CN03/00648  
I.A. Filing Date : August 8, 2003  
Priority Date : August 9, 2002  
Confirmation No. : 9413  
Title : METHOD FOR COMPARING GENE EXPRESSION  
LEVEL

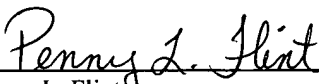
MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CORRECTION TO SPELLING ERROR

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CERTIFICATE OF MAILING 37 C.F.R. § 1.10

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date, September 29, 2005, in an envelope as "Express Mail Post Office to Addressee", Mailing Label N<sup>o</sup> EV 793 379 786 US., with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Penny L. Flint

DATED: September 29, 2005

1. There is an error with respect to the following data, which is incorrectly entered:

INCORRECT DATA

First Named Applicant: Guohua Zhor

CORRECT DATA

1 - ∞ First Named Applicant: Guohua Zhou

2. While it is believed that no fees are due, the Commissioner is hereby authorized to charge any underpayments related to this filing or credit any excess to Deposit Account N<sup>o</sup> 19-4882.

Please address all correspondence to:

**CUSTOMER NO. 23531**

Sean Patrick Suiter

SUITER • WEST • SWANTZ PC LLO

14301 FNB Parkway, Suite 220

Omaha, NE 68154-5299

(402) 496-0300 (Telephone)

(402) 496-0333 (Telecopier)

DATED: September 29, 2005.

Respectfully submitted,

Guohua Zhou,

By

Peng Zhu

Reg. N° 48,063

Rec'd PCT/PT

29 SEP 2005

PATENT

ATTORNEY DOCKET N°: NTP 05-1-1  
EXPRESS MAIL LABEL N°: EV 793 379 786 US

**TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED  
OFFICE CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

MS PCT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Transmitted herewith for filing is the United States patent application of:

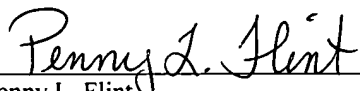
International Application No.: PCT/CN2003/000648  
International Filing Date: August 8, 2003  
Priority Date: August 9, 2002  
Published Application No.: WO 2004/015137  
Inventor: Guohua Zhou

Title: **METHOD FOR COMPARING GENE EXPRESSION LEVEL**

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**CERTIFICATION UNDER 37 C.F.R. §1.10**

I hereby certify that this Transmittal Letter to the United States Designated/Elected Office Concerning a Submission Under 35 U.S.C. 371 and related documents referred to as enclosed therein are being deposited with the United States Postal Service on this date, September 29, 2005, in an envelope as "Express Mail Post Office to Addressee", Mailing Label N° EV 793 379 786 US, with sufficient postage, addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Penny L. Flint

Dated: September 29, 2005

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/523,953	Guohua Zhor	NTP 05-1-1

INTERNATIONAL APPLICATION NO.
PCT/CN03/00648

I.A. FILING DATE	PRIORITY DATE
08/08/2003	08/09/2002

23531  
 SUITER WEST SWANTZ PC LLO  
 14301 FNB PARKWAY  
 SUITE 220  
 OMAHA, NE 68154

**CONFIRMATION NO. 9413**  
**371 FORMALITIES LETTER**  
**\*OC000000016875197\***  
 \*OC000000016875197\*

Date Mailed: 08/26/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/08/2005
- Copy of the International Search Report filed on 02/08/2005
- Information Disclosure Statements filed on 02/08/2005
- Oath or Declaration filed on 02/08/2005
- Request for Immediate Examination filed on 02/08/2005
- U.S. Basic National Fees filed on 02/08/2005
- Assignment filed on 02/08/2005
- Priority Documents filed on 02/08/2005
- Power of Attorney filed on 02/08/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
  - The text in the drawings has not been properly translated.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Small Entity:

- **\$130** for English translation surcharge required.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

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Telephone: (703) 308-9140 EXT 208

PART 2 - OFFICE COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,953	PCT/CN03/00648	NTP 05-1-1

FORM PCT/DO/EO/905 (371 Formalities Notice)